

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PRINCETON DIGITAL IMAGE CORPORATION,

Plaintiff,

v.

KONAMI DIGITAL ENTERTAINMENT INC.,
HARMONIX MUSIC SYSTEMS, INC. and
ELECTRONIC ARTS, INC.,

Defendants.

Case No.: 12-1461 (LPS)

JURY TRIAL DEMANDED

**PLAINTIFF PRINCETON DIGITAL IMAGE CORPORATION'S
MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT**

Plaintiff Princeton Digital Image Corporation hereby requests leave of this Court to file its Second Amended Complaint, stating as follows:

1. Plaintiff's original Complaint was filed on or about November 13, 2012, as Docket Item ("D.I.") 1, and Plaintiff's First Amended Complaint, adding one additional defendant, was filed on December 10, 2012, prior to any Defendant answering or otherwise responding to the original Complaint.
2. On or about February 4, 2013, Defendants all filed Motions to Dismiss the counts in the First Amended Complaint relating to indirect infringement.
3. Without admitting or agreeing that any deficiencies existed in Plaintiff's First Amended Complaint, Plaintiff now seeks leave to file its Second Amended Complaint, further clarifying Plaintiff's allegations related to indirect infringement and willfulness.
4. This Motion is made in good faith furtherance of this action, and no party will be prejudiced by the filing of the Second Amended Complaint.

5. A copy of Plaintiff Princeton Digital Image Corp.'s Second Amended Complaint is attached to this Motion, as Exhibit A and, pursuant to Local Rule 15.1(b) attached as Exhibit B is a form of the Second Amended Complaint which indicates in what respect it differs from the First Amended Complaint, by striking through materials to be deleted and underlining materials to be added.

6. Counsel for all three defendants have indicated that none of the defendants plan to oppose this motion.

Respectfully submitted,

O'KELLY ERNST & BIELLI, LLC

Dated: February 22, 2013

/s/ Sean T. O'Kelly
Sean T. O'Kelly (No. 4349)
901 N. Market Street, Suite 1000
Wilmington, Delaware 19801
(302) 778-4000
(302) 295-2873 (facsimile)
sokelly@oeblegal.com

*Attorneys for Plaintiff Princeton
Digital Image Corporation*